

Notice of Allowability

Application No.

10/643,358

Examiner

Duane S. Smith

Applicant(s)

MENDEZ-FERREIRA ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amdt. of 8-9-05.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

This application has been transferred to Art Unit 1724. Anew office action follows:

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jean Macheledt on 1-30-06 and 2-3-06.

2. The application has been amended as follows:

In claim 21:

21. A segmented plate adapted for assembly within a confined area of a deaerator tank having a limited access thereto, comprising:

(a) the plate, as assembled within the confined area of the deaerator tank,

having an exterior perimeter, an aperture having an inner perimeter, a plurality of generally rigid plate-sections comprising a first, second, third, and fourth plate-section and interposed between and along adjacent boundaries of said plate-sections having been adjacently arranged. is a flexible barrier and,

(b) each of said plate-sections sized smaller than the access to permit passage therethrough for the assembly; and

(c) said adjacent boundaries comprise a third edge-boundary of said third plate-section adjacent a first edge-boundary of each of said first and second plate-sections and a fourth edge-boundary of said fourth plate-section adjacent a second edge-boundary of each of said first and second plate-sections.

In the Abstract:

A segmented plate adapted for assembly within a confined area or volume, and a method of assembly of the segmented plate. The plate, as assembled, has an exterior perimeter that includes exterior edge-boundaries of a plurality of generally rigid plate-sections, each of the plate-sections are sized smaller than the access to permit passage therethrough. Extending at least partially along adjacent boundaries of plate-sections that have been adjacently arranged, is a self-lock seam, or interposed therebetween is a flexible barrier. The self-lock seam may have a variety of configurations including interlocking U-shaped edges. An aperture or opening having an inner perimeter may be included ~~so that the segmented plate may be assembled around an additional piece, sub-assembly or component.~~ The inner perimeter of the aperture/opening may be of a variety of shapes and ~~comprised of one or more inward boundary of the plate-sections.~~ The confined area may consist of a chamber of a deaerator tank or other volume to which access is limited. The flexible barrier may be made of a material having resiliency, ~~adapted to produce a generally water impermeable seal, such as gasket tape, joint sealant, plastic adhesive, caulking compound, weather stripping, and high temperature sealant.~~


3. References cited on PTO-892(Notice of References Cited are considered to be of interest disclosing similar plate assemblies for use in deaerators or contact towers.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duane S. Smith whose telephone number is 571-272-1166. The examiner can normally be reached on 8:30-6:00 M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane S. Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1724

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Duane S. Smith
Primary Examiner
Art Unit 1724

2-16-08

dss